IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.3183 OF 2004

Yar Co-operative Housing Society Ltd. ..Petitioner

Vs.

State of Maharashtra & Ors. ..Respondents

Mr.D.R.Mishra for Petitioner
Ms. Geeta Shastri for Respondent No.1

CORAM: F.I. REBELLO &
S.P. KUKDAY, JJ.
DATE: 3RD MAY, 2005.

P.C.

. Petition is directed against the order dated 18th May, 2004 whereby the City Survey Officer has refused to issue property card in the name of the Petitioners.

2. The case of the Petitioner is that though Fakruddin Badruddin was the owner he has created lease in favour of the Mohammed Nashibdar. Suit there after came to be filed between the owner and the Lessee.

3. It is contended on behalf of the Petitioner that by virtue of the lease agreement and the order passed in the suit, the dispute between the owner and the lesse was resolved. Based on that the Society entered into an agreement with the Lease holders.

4. Considering the controversy we direct Respondent No.3 to consider all the documents filed by the Petitioner which if not filed will be filed not later than 31st May, 2005. On filing of such documents Respondent No.3 to pass a fresh order in substitution of the impugned order on or before 31st July, 2005.

5. With the above direction Petition stand disposed of. No order as to costs.

(F.I.REBELLO,J.)

(S.P. KUKDAY,J.)